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PATENT  
Express Mail Label No.: EV554212801US  
Attorney Docket No.: 703-006.50.21

On December 29, 2005

WALL MARJAMA & BILINSKI LLP

By: Jeanine C. Schirripa  
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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Andrew Longacre, Jr. et al.

Application No.: 10/802,539

Filed: March 16, 2004

For: Optical Reader Device Reading Bar  
Code Symbols

Examiner: Le, Thien Minh

Art Unit: 2876

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR §1.97 and  
§1.98

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Sir:

The reference cited on attached form PTO/SB/08A is being called to the attention of the Examiner. A copy of reference AA is enclosed.

It is respectfully requested that the cited reference be expressly considered during the prosecution of this application, and the reference be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR §1.97(h), no inference should be made that the information and references cited are material to patentability. Also, no inference should be made that a reference is prior art merely because it is included in this statement. Under 37

CFR §1.97(g), the submission of an information disclosure statement should not be considered as representation that a search has been made.

The present Information Disclosure Statement is being submitted to update activity in an application file that was pending in the Patent Office when made of record and which has been considered by the Examiner. In Application No. 10/800,136 an amendment is being filed December 29, 2005 (concurrently herewith). A copy of the concurrently filed Amendment is attached hereto. No item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making a reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual designated in C.F.R. §1.56(c) more than three months prior to the filing of the Information Disclosure Statement. Specifically, the information of the amendment being filed was not known prior to the date of the filing of the present Information Disclosure Statement.

Because the present Information Disclosure Statement is made to merely update activity on an application which has previously been disclosed to the Examiner and to provide additional assurance that amended claims are considered and are not made to disclose new applications to the Examiner, it is believed that no fee is required for submittal of the present Information Disclosure Statement.

If the Patent Office disagrees, the Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0289.


Express Mail No. EV554212801US  
Application No.: 10/802,539  
Page 3

PATENT  
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Respectfully submitted,

WALL MARJAMA & BILINSKI LLP

Date: December 29, 2005

  
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